

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STEPHANIE FUENTES, JETAIME
HOWARD, MIANIKA SMITH, SHARI
GOODMAN, and JERMAIN HAYES,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

UNIRUSH, LLC d/b/a UNIRUSH
FINANCIAL SERVICES, RUSH
COMMUNICATIONS, LLC, RUSH
COMMUNICATIONS of NYC, INC.,
META FINANCIAL GROUP, INC., and
METABANK,

Defendants.

No. 1:15-cv-08372-JPO

**PLAINTIFFS' UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Pursuant to Federal Rule of Civil Procedure 23(e), Plaintiffs Stephanie Fuentes, Jetaime Howard, Mianika Smith, Shari Goodman, Jermain Hayes, Ivy Huff, John Golden, Latayqa Little, Jackie Brown, Mnemosyne Collier, Stephanie Walton, Akil Patterson, William Townsend, Nicole Jones, and Marah Peterkin hereby move the Court for an Order Preliminarily Approving the Class Action Settlement. Plaintiffs' Motion seeks an order: (i) granting preliminary approval of the proposed settlement as memorialized in the Stipulation and Agreement of Settlement that was executed on May 4, 2016 (the "Settlement Agreement"); (ii) approving the form and manner of giving notice of the Settlement to the certified Class and approving the form and content of the

Notice; (iii) provisionally certifying the Settlement Class pursuant to Federal Rule of Civil Procedure 23(b)(3) and (e) for settlement purposes only; (iv) approving the procedures set forth in Section VII of the Settlement Agreement for Settlement Class Members to exclude themselves from the Settlement Class; (v) staying the Action pending Final Approval of the Settlement; (vi) staying and/or enjoining, pending Final Approval of the Settlement, any actions brought by Settlement Class Members concerning a Released Claim; and (vii) setting a hearing date for the final approval of the Settlement and its terms, including the proposed distribution of funds, a motion seeking a service award to the Class Representatives, and Class Counsel's motion for attorneys' fees, costs and expenses.

This Motion is based upon the Declaration of John A. Yanchunis, the Declaration of Jean Sutton Martin and the exhibits annexed thereto, including the Settlement Agreement and its exhibits annexed to the Yanchunis Declaration as Exhibit B, as well as Plaintiffs' Memorandum in Support of Their Unopposed Motion For Preliminary Approval of Class Action Settlement filed herewith.

Plaintiffs' Motion for Preliminary Approval is unopposed by Defendants.

Dated: May 10, 2016

Respectfully submitted,

/s/ John A. Yanchunis

JOHN A. YANCHUNIS

Florida Bar No. 324681

Morgan & Morgan

Complex Litigation Group

201 N. Franklin Street, 7th Floor

Tampa, Florida 33602

Telephone: (813) 223-5505

Email: jyanchunis@ForThePeople.com

/s/ Jean Sutton Martin

JEAN SUTTON MARTIN

North Carolina Bar Number 25703

Law Office of Jean Sutton Martin PLLC

2018 Eastwood Road Suite 225
Wilmington, NC 28403
Telephone: (910) 292-6676
Email: jean@jsmlawoffice.com

***Proposed Co-Lead Counsel for Plaintiffs and the
Settlement Class***

Charles J. LaDuca
Cuneo Gilbert & LaDuca, LLP
8120 Woodmont Ave, Suite 810
Bethesda, MD 20814
Telephone: (202) 789-3960
Email: charles@cuneolaw.com

Michael McShane
Audet & Partners, LLP
711 Van Ness Ave. Suite 500
San Francisco, CA 94102
Telephone: (415) 568-2555
Email: mmcshane@audetlaw.com

Hunter J. Shkolnik
Napoli Shkolnik PLLC
1301 Avenue of the Americas, 10th Floor
New York, NY 10019
Telephone: (212) 397-1000
Email: hunter@napolilaw.com

Lewis Eidson
Colson Hicks Eidson
225 Alhambra Circle, Penthouse
Coral Gables, FL 33134
Telephone: (305) 467-7400
Email: luly@colson.com

Joseph G. Sauder
McCUNEWRIGHT LLP
1055 Westlakes Drive, Suite 300
Berwyn, PA 19312
Telephone: (610) 200-0580
Email: jgs@mccunewrite.com

***Proposed Class Counsel for Plaintiffs and the
Settlement Class***

CERTIFICATE OF SERVICE

I, Jean Sutton Martin, certify that I caused the foregoing to be electronically filed in this case on May 10, 2016 using the Court's CM/ECF System, thereby serving it upon all counsel of record in this case.

/s/ Jean Sutton Martin
Law Office of Jean Sutton Martin PLLC
2018 Eastwood Road Suite 225
Wilmington, NC 28403
Telephone: (910) 292-6676
Email: jean@jsmlawoffice.com